

Robert B. Hawk (Bar No. 118054)  
Stacy R. Hovan (Bar No. 271485)  
HOGAN LOVELLS US LLP  
525 University Avenue, 4th Floor  
Palo Alto, California 94301  
Telephone: + 1 (650) 463-4000  
Facsimile: + 1 (650) 463-4199  
robert.hawk@hoganlovells.com

Douglas M. Schwab (Bar No. 43083))  
HOGAN LOVELLS US LLP  
4 Embarcadero Ctr., 22nd Floor  
San Francisco, California 94111  
Telephone: + 1 (415) 374-2301  
Facsimile: + 1 (415) 374-2499  
douglas.schwab@hoganlovells.com

Robin Wechkin (admitted *pro hac vice*)  
HOGAN LOVELLS US LLP  
8426 316th Pl. SE  
Issaquah, Washington 98027  
Telephone: +1 (425) 222-0595  
robin.wechkin@hoganlovells.com

Attorneys for Defendant  
CONAGRA FOODS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

LEVI JONES, CHRISTINE STURGES,  
and EDD OZARD, individually and on  
behalf of all others similarly situated,

Plaintiffs,

v.

CONAGRA FOODS, INC.,  
Defendant.

Case No. 12-cv-1633-CRB

**STIPULATION AND ORDER  
SETTING NEW BRIEFING  
SCHEDULE FOR PLAINTIFFS'  
MOTION FOR CLASS  
CERTIFICATION**

The Hon. Charles R. Breyer

1 Plaintiffs and Defendant ConAgra Foods, Inc. ("ConAgra"), by and through  
2 their respective counsel of record, enter into the following stipulation, based upon  
3 the recitals below:

4 1. Pursuant to the Court's April 29, 2013 Order granting the parties'  
5 stipulation regarding scheduling (Dkt. 104), Plaintiffs' motion for class  
6 certification is due July 8, 2013, any opposition or response is due  
7 September 9, 2013, any reply is due September 23, 2013, and the Class  
8 Certification Hearing is set for October 18, 2013 at 10:00 a.m.

9 2. On July 2, 2013, Plaintiffs filed an *Ex Parte* Application To Modify  
10 Briefing Schedule On Plaintiffs' Motion For Class Certification (Dkt. 116)  
11 seeking to extend all deadlines relating to the class certification motion by  
12 45 days so that Plaintiffs would have sufficient time to review and evaluate  
13 corrections to Stephanie Kensicki's testimony and determine how to respond.

14 3. In order to facilitate the parties' ability to reconvene Ms. Kensicki's  
15 deposition to address the corrections to her deposition testimony, if Plaintiffs  
16 desire, ConAgra has agreed to make Ms. Kensicki available promptly for a  
17 deposition (possibly via telephone) to address such corrections.

18 4. Counsel for the parties have conferred and agreed, subject to Court  
19 approval, to jointly propose that the briefing schedule be modified so that  
20 Plaintiffs' motion for class certification is due August 7, 2013, ConAgra's  
21 opposition is due October 9, 2013, and Plaintiffs' reply is due October 30,  
22 2013.

23 5. The parties have agreed, subject to Court approval, to jointly propose  
24 that the hearing date for Plaintiffs' motion for class certification be  
25 rescheduled to November 15, 2013.

26 **IT IS SO STIPULATED.**  
27  
28

1 Dated: July 3, 2013

HOGAN LOVELLS US LLP

2 By: /s/ Robert B. Hawk  
3 Robert B. Hawk  
4 Attorneys for Defendant  
CONAGRA FOODS, INC.

5 Dated: July 3, 2013

6  
7 By: /s/ David Shelton  
8 David Shelton  
9 Attorneys for Plaintiffs

10 I, Robert B. Hawk, attest that David Shelton has approved the Stipulation  
11 And [Proposed] Order Setting New Briefing Schedule For Plaintiffs' Motion For  
12 Class Certification and consents to its filing in this action.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

PURSUANT TO STIPULATION, and good cause appearing, the Court orders that Plaintiffs' motion for class certification is due August 7, 2013, ConAgra's opposition is due October 9, 2013, and Plaintiffs' reply is due October 30, 2013. The Court further orders that the hearing on Plaintiffs' Motion for Class Certification shall be on November 15, 2013 at 10:00 a.m.

IT IS SO ORDERED.

Dated: July 9, 2013

